

THE HON'BLE SRI JUSTICE C.V. RAMULU

Wednesday, 29th November, 2006

W.P.No.24673 of 2006

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Between :

C. Kadirappa ... Petitioner

and

The Joint Collector, Anantapur

& another ... Respondents

THE HON'BLE SRI JUSTICE C.V. RAMULU

W.P.No.24673 of 2006

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ORAL ORDER:

This Writ Petition is filed seeking a Mandamus declaring the action of the 2nd respondent in issuing Proceedings Rc.D1-CS/1605/2006, dated 23-10-2006 as arbitrary and illegal and consequently to direct the respondents to restore the authorization of the petitioner during the pendency of the appeal before the 1st respondent.

It appears that the petitioner is the fair price shop dealer of Venkatampalli village, Guntakal Mandal of Anantapur District. His authorization was suspended under the impugned Proceedings of the 2nd respondent dated 23-10-2006 on the allegation

that he has committed certain irregularities in running the fair price shop. Aggrieved by the same, he has already filed an appeal and the same is pending before the 1st respondent-Joint Collector.

However, it is the contention of the learned counsel for the petitioner that though a show cause notice was served on the petitioner on 5-10-2006 and he filed his explanation, the same was not considered. On the other hand, in the impugned Order, it is stated that the petitioner failed to submit his explanation, even after lapse of nearly one month. This can be very well agitated before the 1st respondent-appellate authority.

In view of the above, without going into the merits, the Writ Petition is disposed of directing the 1st respondent to dispose of the appeal purported to have been filed by the petitioner against the Order passed by the 2nd respondent on 23-10-2006, within a period of four weeks from the date of receipt of a copy of this order. No order as to costs.

29-11-2006

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